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HEARINGS before the  
COMMITTEE ON AGRICULTURE  
HOUSE OF REPRESENTATIVES

June 6, 1960

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NORTH DAKOTA LANDS USE RESTRICTION REMOVAL

H.R. 10700 AND S. 2772 S3070

————— *Listed erroneously*

JUNE 6, 1960



# NORTH DAKOTA LANDS USE RESTRICTION REMOVAL

MONDAY, JUNE 6, 1960

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON DEPARTMENTAL  
OVERSIGHT AND CONSUMER RELATIONS  
OF THE COMMITTEE ON AGRICULTURE,  
Washington, D.C.

The subcommittee met at 10 a.m., pursuant to notice, in room 1310, New House Office Building, Hon. Paul C. Jones (chairman of the subcommittee) presiding.

Present: Representative Jones and McIntire.

Also present: Christine S. Gallagher, clerk, and John J. Heimbarger, counsel.

Mr. JONES (presiding). The subcommittee will come to order.

Is Mr. Claude Starr, Chief of the Agreements and Real Estate of the Soil Conservation of the U.S. Department of Agriculture present?

(No response.)

Mr. JONES. We have before us H.R. 10700 introduced by Mr. Short, together with a report from the Department of Agriculture dated April 7, 1960, addressed to the chairman of the full committee. These will be made a part of the record at this point:

(H.R. 10700, the report dated April 7, 1960, and S. 2772 follow:)

[S. 2772, 86th Cong., 2d sess.]

AN ACT To authorize the Secretary of Agriculture to convey land in the town of Cascade, El Paso County, Colorado

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to convey by quitclaim deed, without consideration, to Mary E. Cusack, her heirs, devisees or other successors in interest, donor in a certain deed to the United States dated May 5, 1920, filed for record in El Paso County on December 30, 1920, and recorded in book 627, page 439, all the right, title, and interest of the United States in and to the following described land located in the town of Cascade, El Paso County, Colorado: The easterly one hundred feet of lots numbered 7, 8, 9, 10, 11, 12, 13 and 14, block 24, all in addition numbered 1 to the said townsite of Cascade, El Paso County, Colorado, and lying and being within section 26, township 13 south, range 68 west of the Sixth principal meridian: *Provided*, That application for any such conveyance and proof of interest satisfactory to the Secretary of Agriculture shall be made within five years from the date of this Act.*

Passed the Senate April 11, 1960.

Attest:

FELTON M. JOHNSTON, *Secretary.*

[H.R. 10700, 86th Cong., 2d sess.]

A BILL To provide for the removal of the restriction on use with respect to certain lands in Morton County, North Dakota, conveyed to the State of North Dakota on July 20, 1955

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of Agriculture is authorized and directed to convey, without consideration and by quitclaim deed or other appropriate means, all reversionary interest which the United States has in and to certain lands in Morton County, North Dakota, by reason of the provision of the deed of July 20, 1955, whereby the United States, in conveying such lands to the State of North Dakota, provided that, if such lands ceased to be used for public purposes, title thereto should immediately revert to and become revested in the United States. Such lands are more particularly described as follows:

The southwest quarter of section 36 in township 139 north of range 81 west of the fifth principal meridian, and lots 3 and 4, also known as the north half of the northwest quarter of section 1 of township 138 north of range 81 west of the fifth principal meridian, containing 240.2 acres, more or less, and together therewith all accretion land and all and singular the water rights and other rights, tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

DEPARTMENT OF AGRICULTURE,  
Washington, D.C., April 7, 1960.

Hon. HAROLD D. COOLEY,  
*Chairman, Committee on Agriculture,  
House of Representatives.*

DEAR CONGRESSMAN COOLEY: This is in reply to your letter of February 29, 1960, requesting a report by this Department on H.R. 10700, a bill to provide for the removal of the restriction on use with respect to certain lands in Morton County, N. Dak., conveyed to the State of North Dakota on July 20, 1955.

The Department would have no objection to enactment of the bill.

The bill would authorize and direct the Secretary of Agriculture to convey to the State of North Dakota without consideration all reversionary interest which the United States has in approximately 240 acres of described lands in Morton County, N. Dak., by reason of the provision of a deed dated July 20, 1955, by which the United States conveyed these lands to the State of North Dakota subject to the condition that if the lands ceased to be used for public purposes, title thereto would revert to the United States.

The lands covered by this bill were purchased by the Federal Government in 1939 under the act of April 27, 1935 (16 U.S.C. 590a-f) for use as a nursery site by the Soil Conservation Service. In 1953 it was decided to cease Soil Conservation Service nursery operations at this site. Executive Order No. 10516, dated January 26, 1954, authorized the transfer of these lands to the Secretary of Agriculture for use, administration, and disposition under title III and the related provisions of title IV of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010 et seq.). That act required that lands disposed of be used for public purposes subject to the condition that title would revert to the United States if they ceased to be so used. The lands were deeded to the State of North Dakota on July 20, 1955, under authority of the Bankhead-Jones Farm Tenant Act with the reverter clause included in the deed. The full appraised value of the land was paid by the State.

The Lower Heart River Water Conservation and Flood Control District of Morton County, N. Dak., is the present owner of the land having acquired it from the State, paying full appraised value of the land. The district wishes to exchange some of this land for rights-of-way needed for their project and to otherwise dispose of another part of the land. Any such disposal to private owners would result in land not needed by the district being placed on the tax rolls. The reversionary provision, however, prevents the district from carrying out its desired actions. H.R. 10700 would permit removal of the provision so that the desires of the district may be accomplished.

Since the Department, acting for the United States, received payment for the full appraised value of these lands at the time of their sale to the State and has no interest in the future use of these lands in connection with its programs, it



would have no objection to the release of the reversionary provision contained in the deed. This Department, therefore, would have no objection to the enactment of the bill H.R. 10700.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE, *Acting Secretary.*

Mr. JONES. Mr. Short was here a moment ago. Mr. Starr is not here at this time. Accordingly we will proceed to other matters.

(Thereupon at 10:15 a.m., the committee proceeded to further business.)





LEGISLATIVE HISTORY

Public Law 86-693  
S. 3070

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## INDEX AND SUMMARY OF S. 3070

Feb. 19, 1960	Sen. Young of North Dakota introduced S. 3070 which was referred to Senate Agriculture and Forestry Committee. Print of bill as introduced.
Feb. 25, 1960	Rep. Short introduced H. R. 10700 which was referred to House Agriculture Committee. Print of bill as introduced.
May 4, 1960	Senate committee voted to report (but did not actually report) S. 3070.
May 5, 1960	Senate committee reported S. 3070 without amendment. S. Report No. 1337. Print of bill and report.
May 26, 1960	Senate passed S. 3070 without amendment.
May 27, 1960	S. 3070 was referred to House Agriculture Committee. Print of bill as referred.
Jun. 6, 1960	House subcommittee voted to report H. R. 10700 to full committee.
Jul. 1, 1960	House committee voted to report (but did not actually report) S. 3070.
Aug. 18, 1960	House committee reported S. 3070 without amendment. H. Report No. 2108. Print of bill and report.
Aug. 23, 1960	House passed S. 3070 without amendment.
Sept. 2, 1960	Approved: Public Law 86-693.



DIGEST OF PUBLIC LAW 86-693

REVERSIONARY INTEREST IN MORTON COUNTY, N. DAK., LANDS. Authorizes and directs the Secretary of Agriculture to convey to North Dakota without consideration all reversionary interests in approximately 240 acres of land in Morton County, N. Dak., which was formerly used as a nursery site by the Soil Conservation Service (the land was sold to the State in 1955 subject to the condition that if the land ceased to be used for public purposes, title would revert to the U. S.).









86TH CONGRESS  
2D SESSION

# S. 3070

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 19 (legislative day, FEBRUARY 15), 1960

Mr. YOUNG of North Dakota introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

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## A BILL

To provide for the removal of the restriction on use with respect to certain lands in Morton County, North Dakota, conveyed to the State of North Dakota on July 20, 1955.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the Secretary of Agriculture is authorized and directed  
4       to convey, without consideration and by quitclaim deed or  
5       other appropriate means, all reversionary interest which the  
6       United States has in and to certain lands in Morton County,  
7       North Dakota, by reason of the provision of the deed of July  
8       20, 1955, whereby the United States, in conveying such  
9       lands to the State of North Dakota, provided that, if such  
10      lands ceased to be used for public purposes, title thereto

1 should immediately revert to and become revested in the  
2 United States. Such lands are more particularly described  
3 as follows:

4       The southwest quarter of section 36 in township 139 north  
5 of range 81 west of the fifth Principal meridian, and lots 3  
6 and 4, also known as the north half of the northwest quarter  
7 of section 1 of township 138 north of range 81 west of the  
8 fifth Principal meridian, containing 240.2 acres, more or less,  
9 and together therewith all accretion land and all and singu-  
10 lar the water rights and other rights, tenements, heredita-  
11 ments and appurtenances thereto belonging or in anywise  
12 appertaining.



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# A BILL

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To provide for the removal of the restriction on use with respect to certain lands in Morton County, North Dakota, conveyed to the State of North Dakota on July 20, 1955.

---

By Mr. Young of North Dakota

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FEBRUARY 19 (legislative day, FEBRUARY 15), 1960  
Read twice and referred to the Committee on  
Agriculture and Forestry







86TH CONGRESS  
2D SESSION

# H. R. 10700

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 1960

Mr. SHORT introduced the following bill; which was referred to the Committee on Agriculture

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## A BILL

To provide for the removal of the restriction on use with respect to certain lands in Morton County, North Dakota, conveyed to the State of North Dakota on July 20, 1955.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the Secretary of Agriculture is authorized and directed  
4       to convey, without consideration and by quitclaim deed or  
5       other appropriate means, all reversionary interest which the  
6       United States has in and to certain lands in Morton County,  
7       North Dakota, by reason of the provision of the deed of  
8       July 20, 1955, whereby the United States, in conveying  
9       such lands to the State of North Dakota, provided that, if  
10      such lands ceased to be used for public purposes, title thereto

1 should immediately revert to and become revested in the  
2 United States. Such lands are more particularly described  
3 as follows:

4       The southwest quarter of section 36 in township 139  
5 north of range 81 west of the fifth principal meridian, and  
6 lots 3 and 4, also known as the north half of the northwest  
7 quarter of section 1 of township 138 north of range 81  
8 west of the fifth principal meridian, containing 240.2 acres,  
9 more or less, and together therewith all accretion land and  
10 all and singular the water rights and other rights, tene-  
11 ments, hereditaments and appurtenances thereto belonging  
12 or in anywise appertaining.



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# A BILL

---

To provide for the removal of the restriction on use with respect to certain lands in Morton County, North Dakota, conveyed to the State of North Dakota on July 20, 1955.

---

By Mr. SHORT

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FEBRUARY 25, 1960

Referred to the Committee on Agriculture





May 4, 1960

SENATE

10. COMMERCE APPROPRIATION BILL FOR 1961. Receded from its amendment to this bill, H. R. 10234, to prohibit free or reduced-rate transportation of Federal employees by American vessels. The conference report was agreed to May 3 (see Digest No. 80). This bill will now be sent to the President. pp. 8699-704
11. TAMPICO-FIBER IMPORTS. Passed without amendment H. R. 9861, to continue for a temporary period the existing suspension of duty on certain istle and tampico fibers. This bill will now be sent to the President. p. 8712
12. TRANSPORTATION. Passed as reported S. 2452, to permit the establishment of through service and joint rates for carriers serving Alaska or Hawaii and the other States and to establish a joint board to review such rates. pp. 8712-7
13. GRAPES AND PLUMS. Passed as reported S. 1857, to establish minimum standards on grapes and plums in foreign commerce. pp. 8717-8
14. FISH AND WILDLIFE. Passed as reported S. 1781, to continue the authority, now contained in appropriation acts, of the Secretary of the Interior to enter into cooperative agreements with colleges and universities, game and fish departments of the States and territories, and with nonprofit organizations relating to cooperative research units. pp. 8721-2
15. PLANT PATENTS. Passed without amendment S. 1447, to eliminate the exclusion of tuber propagated plants from being patented. Following passage, Sen. Frear inserted a report containing this Department's reasons for not favoring the bill. pp. 8711-2
16. FOREIGN TRADE; SURPLUS COMMODITIES. Sens. Schoeppel and Cooper commended the new agreement between the United States and India, negotiated under title I, Public Law 480, which provides for sizeable increased food supply for India and stockpiling of wheat and rice as a buffer against famine. pp. 8684, 8723-4  
Sen. Schoeppel commended the use of surplus agricultural commodities for expansion of world trade. p. 8684
17. FARM PROGRAM. Sen. Carlson inserted a resolution adopted by a Kans. Farmers Union local petitioning Congress for certain changes in the present wheat program. p. 8675
18. NATIONAL PARKS. Sen. Moss submitted an amendment, in the nature of a substitute, intended to be proposed by him, to S. 2894, to authorize the Secretary of the Interior to establish the Great Salt Lake National Park, Utah. p. 8678
19. CONSERVATION. Sen. Murray praised the work being done by the Montana Conservation Council, and inserted an article on the benefits from teaching school children to understand and appreciate the value of conservation. pp. 8685-6
20. TRADE FAIR. Sens. Keating and Javits discussed the New York World Trade Fair, inserted a speech by Sen. Javits and articles on this subject, and expressed the hope that the fair would serve to stimulate America's export trade. pp. 8691-3
21. PATENT POLICIES. Sen. Long discussed patent policy and inserted a table, "300 companies and institutions receiving largest amounts of military research and development contracts in the fiscal years 1954-56." pp. 8704-6



22. EXPENDITURES. Sen. Gruening criticized what he called the administration's "double standard" on spending. p. 8707
23. BUILDINGS; WATERSHEDS. Sen. Chavez inserted a list of building projects approved by the Public Works Committee, under the Public Buildings Act of 1959 and a list of watershed projects approved under the Watershed Protection and Flood Prevention Act. pp. 8707-9
24. BUDGET. Sen. Williams, Del., inserted an article by Sen. Butler giving the results of a "Battle of the Budget" questionnaire which he mailed to 5,000 people in which 90% favored a reduced budget and of those favoring a reduced budget 84% favored reductions in agricultural price supports, 41% favored reductions in natural resources spending, and 37% favored reductions in Government expenses. p. 8710
25. AREA REDEVELOPMENT. Sen. Byrd, W. Va., criticized the President for vetoing last year's Senate and House passed area redevelopment bill and calling for legislation on area development in his recent speech. pp. 8726-7
26. FARM CREDIT. The Agriculture and Forestry Committee favorably reported the nominations of Lester Clyde Carter, Ark., and Robert T. Lister, Ore., to be members of the Federal Farm Credit Board, Farm Credit Administration. p. 8734
27. LANDS; FARM CREDIT. The Agriculture and Forestry Committee voted to report (but did not actually report) S. 3070, to remove the restrictions on use with respect to certain lands in Morton County, N. Dak., H. R. 9818, to convey certain real property of the U. S. to the State of Florida, and S. 2977, to amend the Farm Credit Act of 1933 to provide for increased representation by regional banks for cooperatives on the Board of Directors of the Central Bank for cooperatives.  
The Committee also approved the following watershed projects: Brush Creek, W. Va.; Huff Creek, S. C.; Tortugas Arroyo, N. Mex.; Vineland Area., Colo.; and White Clay, Brewery, and Whiskey Creeks, Kans. p. D374  
The Public Lands Subcommittee of the Interior and Insular Affairs Committee reported to the full committee with amendments S. 1401, to authorize an extension of time for final proof of qualifications of certain entrymen under the desert land laws. p. D375
28. FEED AND SEED. The Agriculture and Forestry Committee defeated, by a vote of 8 to 8, a motion to report H. R. 6861, to provide for a specific contribution by State governments to the cost of feed or seed furnished to farmers, ranchers, or stockmen in disaster areas. p. D374
29. FORESTRY; MULTIPLE USE. The Agriculture and Forestry Committee considered, but took no final action on, S. 3044, directing that the national forests be managed under plans of multiple use. p. D374
30. LEGISLATIVE PROGRAM. Sen. Johnson stated that on Thurs., May 5, and Fri., May 6, the Senate expects to consider the following: H. R. 9862, relating to duties on certain shoe lathes and containing an amendment to extend the suspension of the import duty on casein until June 30, 1963; H. R. 10550, to extend the Export Control Act of 1949 for 2 additional years; S. 2575, to provide a health benefits program for certain retired employees of the Government; H. R. 8241, to amend certain provisions of the Civil Service Retirement Act relating to the reemployment of former Members of Congress; and H. R. 8289, to accelerate the commencing date of civil service retirement annuities. pp. 8733-4





# Digest of CONGRESSIONAL PROCEEDINGS

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF  
BUDGET AND FINANCE

(For Department  
Staff Only)

Issued May 6, 1960  
For actions of May 5, 1960  
86th-2d, No. 82

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HIGHLIGHTS: House committee granted permission until midnight Friday, May 6, to file report on USDA appropriation bill. Both Houses agreed to conference report on Interior and related agencies appropriation bill, including Forest Service. House passed Defense Department appropriation bill for 1961.

### HOUSE

1. MUTUAL SECURITY. Disagreed to the Senate amendments to H. R. 11510, the mutual security authorization bill; conferees were appointed (p. 8903). Senate conferees have been appointed.
2. DEFENSE DEPARTMENT APPROPRIATION BILL, 1960. Passed by a vote of 377 to 3, with amendment, this bill, H. R. 11998. pp. 8913-56  
Following passage of the bill Rep. Wastenhoefer commented on the bill and urged support for establishing a National Peace Agency. pp. 8957-8
3. AGRICULTURE DEPARTMENT APPROPRIATION BILL, 1961. Agreed to allow the Appropriations Committee until midnight, Fri., May 6, to file a report on this bill. p. 8957
4. EXHIBITIONS. Rep. Kasem urged support for his resolution to have the Secretary of State "enter into negotiations to bring the U. S. into the membership of the Bureau International des Expositions." pp. 8959-62
5. INTEREST RATES. Rep. Burdick criticized the administration's stand on removing the interest restriction on long-term Government securities. pp. 8976-7



6. LEGISLATIVE PROGRAM. Rep. McCormack stated that the legislative program for next week would include the following: On Tues., May 10, the Department of Agriculture appropriation bill for 1961 would be considered, and following that the house would consider H. R. 10495, the highway construction authorization bill for fiscal 1962, and 1963. p. 8904

SENATE

7. INTERIOR AND RELATED AGENCIES APPROPRIATIONS, 1961. Both Houses agreed to the conference report on this bill H. R. 10401. This bill will now be sent to the President. pp. 8864-71, 8910-13
8. FARM CREDIT. The Agriculture and Forestry Committee reported with amendments S. 2977, to amend the Farm Credit Act of 1933 to provide for increased representation by regional banks for cooperatives on the Board of Directors of the Central Bank for Cooperatives (S. Rept. 1335). p. 8816
9. LANDS. The Agriculture and Forestry Committee reported without amendment ~~H. R. 9818, to provide for the conveyance of certain real property of the United States to the State of Florida (S. Rept. 1336); and S. 3070, to provide for the removal of the restriction on use with respect to certain lands in Morton County, N. Dak., conveyed to the State of North Dakota on July 20, 1955 (S. Rept. 1337).~~ p. 8816
10. EXPORT CONTROL. Passed without amendment H. R. 10550, to extend the Export Control Act of 1949 for 2 additional years. This bill will now be sent to the President. p. 8851
11. WHEAT. Passed over, as not appropriate calendar business, S. 2759, to strengthen the wheat marketing quota and price support program. p. 8853
12. CHICORY. Passed as reported H. R. 9398, to extend for 3 years the suspension of duty on imports of crude chicory and the reduction in duty on ground chicory. p. 8854
13. RETIREMENT. Passed as reported S. 2575, to provide a health benefits program for certain retired employees of the Government (pp. 8872-5). This bill had been passed over on calendar call earlier in the day (p. 8851).  
Passed over and subsequently passed as reported H. R. 8241, to amend certain provisions of the Civil Service Retirement Act relating to the reemployment of former Members of Congress. pp. 8851, 8876-84  
Passed over and subsequently passed as reported S. 2857, to amend the Civil Service Retirement Act so as to provide for refunds of contributions in the case of annuitants whose length of service exceeds the amount necessary to provide the maximum annuity allowable under such Act. p. 8852, 8884-90, 8891-2
14. CASEIN. Passed with amendments H. R. 9862, relating to duties on certain shoe lathes and containing an amendment to extend the suspension of the import duty on casein until June 30, 1963. pp. 8892-9
15. AREA REDEVELOPMENT. Sen. Johnson and others discussed S. 722, the area redevelopment bill, and Sen. Johnson moved to agree to the House amendment. It was agreed that on Fri., May 6, there will be 2 hours debate, equally divided, on the motion to agree to the House amendment. pp. 8811-2, 8875-6, 8889-900

## REVERSIONARY INTEREST IN LANDS IN MORTON COUNTY, N. DAK.

---

MAY 5, 1960.—Ordered to be printed

---

Mr. YOUNG of North Dakota, from the Committee on Agriculture and Forestry, submitted the following

### R E P O R T

[To accompany S. 3070]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 3070) to provide for the removal of the restriction on use with respect to certain lands in Morton County, N. Dak., conveyed to the State of North Dakota on July 20, 1955, having considered the same, report thereon with a recommendation that it do pass without amendment.

This bill directs the Secretary of Agriculture to convey to the State of North Dakota without consideration all reversionary interest which the United States has in approximately 240 acres of described lands in Morton County, N. Dak. The United States conveyed these lands to the State of North Dakota in 1955, subject to the condition that if the lands ceased to be used for public purposes, title thereto would revert to the United States. The full appraised value of the land was paid by the State.

The Lower Heart River Water Conservation and Flood Control District of Morton County, N. Dak., is the present owner of the land and wishes to exchange some of it for rights-of-way needed for their project and to otherwise dispose of another part of the land. Disposal to private owners would result in land not being used for public purposes, and the reversionary provision in the deed prevents such disposal by the district.

The United States reserved three-fourths of the mineral interests in this property and this interest would not be affected by the bill. The amount received by the United States for this land from the State in 1955 was \$20,240. This represented \$20,000 as the full appraised agricultural value of the land and \$240 as the full appraised value of the one-quarter mineral interest conveyed. No deduction was made from this appraised value because of the reservation for



public purposes, and consequently no additional consideration would now be required.

The favorable report from the Department of Agriculture explaining the bill further is attached.

DEPARTMENT OF AGRICULTURE,  
*Washington, D.C., April 7, 1960.*

HON. ALLEN J. ELLENDER,  
*Chairman, Committee on Agriculture and Forestry,*  
*U.S. Senate.*

DEAR SENATOR ELLENDER: This is in reply to your letter of February 22, 1960, requesting a report by this Department on S. 3070, a bill to provide for the removal of the restriction on use with respect to certain lands in Morton County, N. Dak., conveyed to the State of North Dakota on July 20, 1955."

The Department would have no objection to enactment of the bill.

The bill would authorize and direct the Secretary of Agriculture to convey to the State of North Dakota without consideration all reversionary interest which the United States has in approximately 240 acres of described lands in Morton County, N. Dak., by reason of the provision of a deed dated July 20, 1955 by which the United States conveyed these lands to the State of North Dakota subject to the condition that if the lands ceased to be used for public purposes, title thereto would revert to the United States.

The lands covered by this bill were purchased by the Federal Government in 1939 under the act of April 27, 1935 (16 U.S.C. 590a-f) for use as a nursery site by the Soil Conservation Service. In 1953 it was decided to cease Soil Conservation Service nursery operations at this site. Executive Order No. 10516, dated January 26, 1954, authorized the transfer of these lands to the Secretary of Agriculture for use, administration, and disposition under title III and the related provisions of title IV of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010 et seq). That act required that lands disposed of be used for public purposes subject to the condition that title would revert to the United States if they ceased to be so used. The lands were deeded to the State of North Dakota on July 20, 1955, under authority of the Bankhead-Jones Farm Tenant Act with the reverter clause included in the deed. The full appraised value of the land was paid by the State.

The Lower Heart River Water Conservation and Flood Control District of Morton County, N. Dak., is the present owner of the land having acquired it from the State, paying full appraised value of the land. The district wishes to exchange some of this land for rights-of-way needed for their project and to otherwise dispose of another part of the land. Any such disposal to private owners would result in land not needed by the district being placed on the tax rolls. The reversionary provision, however, prevents the district from carrying out its desired actions. S. 3070 would permit removal of the provision so that the desires of the district may be accomplished.

Since the Department, acting for the United States, received payment for the full appraised value of these lands at the time of their sale to the State and has no interest in the future use of these lands in connection with its programs, it would have no objection to the release of the reversionary provision contained in the deed. This Depart-



ment, therefore, would have no objection to the enactment of the bill S. 3070.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE,  
*Acting Secretary.*

○



Calendar No. 1371

86TH CONGRESS  
2D SESSION

**S. 3070**

[Report No. 1337]

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 19 (legislative day, FEBRUARY 15), 1960

Mr. YOUNG of North Dakota introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

MAY 5, 1960

Reported by Mr. YOUNG of North Dakota, without amendment

---

**A BILL**

To provide for the removal of the restriction on use with respect to certain lands in Morton County, North Dakota, conveyed to the State of North Dakota on July 20, 1955.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the Secretary of Agriculture is authorized and directed  
4       to convey, without consideration and by quitclaim deed or  
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9       lands to the State of North Dakota, provided that, if such  
10      lands ceased to be used for public purposes, title thereto

1 should immediately revert to and become revested in the  
2 United States. Such lands are more particularly described  
3 as follows:

4       The southwest quarter of section 36 in township 139  
5 north of range 81 west of the fifth Principal meridian, and  
6 lots 3 and 4, also known as the north half of the northwest  
7 quarter of section 1 of township 138 north of range 81 west  
8 of the fifth Principal meridian, containing 240.2 acres, more  
9 or less, and together therewith all accretion land and all and  
10 singular the water rights and other rights, tenements, heredi-  
11 taments and appurtenances thereto belonging or in anywise  
12 appertaining.



[Report No. 1337]

A BILL

To provide for the removal of the restriction on use with respect to certain lands in Morton County, North Dakota, conveyed to the State of North Dakota on July 20, 1955.

By Mr. Young of North Dakota

FEBRUARY 19 (legislative day, FEBRUARY 15), 1960

Read twice and referred to the Committee on Agriculture and Forestry

MAY 5, 1960

Reported without amendment







May 26, 1960

10. COOPERATIVES; FARM CREDIT. Passed as reported S. 2977, to amend the Farm Credit Act of 1933 so as to provide for increased representation by regional banks for cooperatives on the board of directors of the Central Bank for Cooperatives. pp. 10392-3
11. LANDS; FORESTRY. Passed without amendment S. 3070, to provide for the removal of the restriction on use with respect to certain former Soil Conservation Service nursery lands in Morton County, N. Dak., conveyed to N. Dak. on July 20, 1955. p. 10393
- Passed over, at the request of Sen. Keating, S. 2583, to authorize the head of any executive agency to reimburse the owners and tenants of lands or interest therein for moving or other expenses incurred by such persons resulting from the acquisition of the property by the Federal Government. p. 10397
- Passed over, at the request of Sen. Bartlett, H. R. 7681, to provide for the transfer from Interior to this Department of certain authorities for the exchange or sale of forest land and timber. p. 10395
- Passed over, at the request of Sen. Bartlett, S. 3044, to authorize and direct that the national forests be managed under principles of multiple use and to produce a sustained yield of products and services. p. 10401
- Passed over, at the request of Sen. Bartlett, S. 1787, to regulate the misbranding, false advertising, and false invoicing of decorative hardwood or imitation hardwood products. p. 10401
- Began consideration of S. 1617, to provide for the adjustment of legislative jurisdiction exercised by the U. S. over land in the several States used for Federal purposes. p. 10404
12. TAXES; PROPERTY. Passed without amendment H. R. 9983, to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments. This bill will now be sent to the President. p. 10395
13. FOREIGN AID. Passed over, at the request of Sen. Bartlett, S. 3074, to provide for U. S. participation in the International Development Association. p. 10395
14. INFORMATION; SCIENCE. By a vote of 77 to 4, agreed to a resolution of ratification of an international agreement for facilitating the international circulation of visual and auditory materials of an educational, scientific, and cultural character. pp. 10364-84
15. RESEARCH. Passed without amendment S. 1235, to authorize the Secretary of Commerce to enter into contracts for the conduct of research in the field of meteorology. p. 10395
16. WOOL. Passed as reported H. R. 9322, to make permanent the existing suspension of duties on certain coarse wool. pp. 10399-400
17. PERSONNEL; PROPERTY. Passed as reported H. R. 9881, to extend for two years the existing provisions of law relating to the free importation of personal and household effects brought into the U. S. under Government orders. pp. 10400-1
18. LIBRARIES. Passed as reported S. 2830, to extend for 5 years the appropriation authorizations under the Library Services Act. pp. 10401-2

19. FARM WAGES. Sen. Williams, N. J., inserted an article which "adds new understanding to the desirability of improving farm wages and to what the consequences might be on food prices," and stated that the Labor Department has just completed a study which "concludes that a minimum wage for hired farmworkers is both feasible and desirable if the rates are set within appropriate limits." pp. 10407-8
20. PERSONNEL. The Post Office and Civil Service Committee voted to report (but did not actually report) the following bills: pp. D468-8  
S. 1638, with amendment, to provide for an effective system of personnel administration for the executive branch of the Government;  
H. R. 4595, with amendment, to clarify and make uniform certain provisions of law relating to special postage rates for educational, cultural, and library materials;  
H. R. 4601, to amend the Act of September 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the U. S.;  
H. R. 10996, to authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted by registered mail.
21. WATER RIGHTS. Sen. Kuchel discussed the rights of States to have jurisdiction over the water within their boundaries, criticized "the startling assertion by the U. S. Department of Justice that the Federal Government, not the State of California, owns all of the unappropriated water rights in the State," and inserted several items discussing this matter. pp. 10349-53
22. PALM OIL. Received from GSA a notice of the proposed disposition of approximately 37,609,878 pounds of palm oil now held in the national stockpile. p. 10329
23. MIGRATORY LABOR. Sen. Williams, N. J., inserted his statement urging the enactment of legislation to provide Federal assistance for the education of children of migratory workers. pp. 10335-6

ITEMS IN APPENDIX

24. AREA DEVELOPMENT. Extension of remarks of Rep. Gray stating that the people in his district "were all grieved when the President saw fit to veto the area redevelopment bill." pp. A4482-3
25. FLOOD CONTROL. Sen. Wiley inserted excerpts from his recent address before the National Rivers and Harbors Congress. p. A4483
26. FARM PROGRAM. Extension of remarks of Rep. Quie inserting a Grange Farm Reporter newsletter which discusses the Poage farm bill. pp. A4483-4  
Rep. Poage commended and inserted an article "which gives a factual report of the farm situation," and "which shows very clearly just how a return to unlimited plantings would weaken our entire economy." pp. A4519-20  
Rep. Hagen inserted an article by Chas. Shuman which states that "Agriculture's modern quest for the unattainable is the equally fruitless search for a 'sound, workable Government farm program.'" pp. A4533-4
27. RURAL COUNTIES. Sen. Mundt stated that a "considerable amount of support has developed" for his proposed bill which would create a Federal Commission to deal with the problems of small towns and rural areas in America, and inserted two articles on this subject. pp. A4486-7



from the farm credit districts for the terms beginning the next succeeding January 1 shall be appointed by the Governor of the Farm Credit Administration by and with the advice and consent of the Federal Farm Credit Board, until the number of elected directors is reduced to six. If directors are not required to be appointed for all of the terms beginning the next succeeding January 1, in order to reduce the number of elected directors to six, the Farm Credit Administration shall designate the terms to be filled by appointment or election.

"(d) Any vacancy in the Board of Directors shall be filled for the unexpired term in the same manner, by appointment or election, in which the vacant office was filled. Each director elected or appointed for a district shall have been a resident of such district for at least two years prior to election or appointment and shall have had experience with the business and financial operations of agricultural cooperatives. No person shall be eligible for election or appointment as a director for a district if such person has, within two years next preceding the commencement of the term, been a salaried officer or employee of the Farm Credit Administration or of any corporation operating under its supervision. No person shall be eligible to serve as an elected or appointed director for a district for more than two full terms of three years, plus any elected or appointed term of less than three years which expires immediately preceding his election or appointment to a full term. Any person who is a member of the Federal Farm Credit Board when appointed or elected as director shall resign as a member of the Federal Farm Credit Board before assuming his duties as director of the Central Bank. No person who becomes such director shall be eligible to continue to serve if he becomes a member of the Federal Farm Credit Board or an officer or employee of the Farm Credit Administration or an officer or employee of any corporation operating under the supervision of the Farm Credit Administration. Any appointed director may be removed at pleasure at any time by the Farm Credit Administration."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### REMOVAL OF RESTRICTION ON USE WITH RESPECT TO CERTAIN LANDS IN MORTON COUNTY, N. DAK.

The bill (S. 3070) to provide for the removal of the restriction on use with respect to certain lands in Morton County, N. Dak., conveyed to the State of North Dakota on July 20, 1955, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of Agriculture is authorized and directed to convey, without consideration and by quitclaim deed or other appropriate means, all reversionary interest which the United States has in and to certain lands in Morton County, North Dakota, by reason of the provision of the deed of July 20, 1955, whereby the United States, in conveying such lands to the State of North Dakota, provided that, if such lands ceased to be used for public purposes, title thereto should immediately revert to and become revested

in the United States. Such lands are more particularly described as follows:

The southwest quarter of section 36 in township 139 north of range 81 west of the fifth Principal meridian, and lots 3 and 4, also known as the north half of the northwest quarter of section 1 of township 138 north of range 81 west of the fifth Principal meridian, containing 240.2 acres, more or less, and together therewith all accretion land and all and singular the water rights and other rights, tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

#### RESOLUTIONS PASSED OVER

The resolution (S. Res. 279) authorizing additional expenditures by the Committee on Government Operations was announced as next in order.

Mr. BARTLETT. Mr. President, I ask that Order Nos. 1374, 1375, 1376, and 1392 be passed over.

The PRESIDING OFFICER. The resolutions will be passed over.

The resolutions ordered to be passed over are as follows:

Senate Resolution 279, authorizing additional expenditures by the Committee on Government Operations.

Senate Resolution 310, increasing the limit of expenditures for hearings before the Committee on Armed Services.

Senate Resolution 305, providing for a study of the uses of Government licensed media for the dissemination of political opinions, news, etc.

Senate Resolution 281, authorizing the printing of additional copies of Senate Report No. 807, 86th Congress, entitled "Federal Disaster Relief Manual."

#### EXEMPTION FROM PROVISIONS OF EMERGENCY TRANSPORTATION OF MOTOR VEHICLES IN INTERSTATE AND FOREIGN COMMERCE BY TOWING

The Senate proceeded to consider the bill (S. 2375) to amend part II of the Interstate Commerce Act in order to provide an exemption from the provisions of such part for the emergency transportation of any motor vehicle in interstate or foreign commerce, by towing, which had been reported from the Committee on Interstate and Foreign Commerce, with an amendment, in line 6, after the word "following," to strike out "or (10) the emergency transportation of any motor vehicle in interstate or foreign commerce by towing." and insert "or (10) the transportation of any accidentally wrecked or disabled motor vehicle in interstate or foreign commerce by towing.", so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 203(b) of the Interstate Commerce Act (49 U.S.C. 303(b)) is amended by striking out the period at the end and inserting in lieu thereof a semicolon and the following: "or (10) the transportation of any accidentally wrecked or disabled motor vehicle in interstate or foreign commerce by towing."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### AMENDMENT OF FEDERAL AVIATION ACT OF 1958

The Senate proceeded to consider the bill (S. 1545) to amend the Federal Aviation Act of 1958 so as to authorize elimination of a hearing in certain cases under section 408, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment, to strike out all after the enacting clause and insert:

That section 408(b) of the Federal Aviation Act of 1958 be amended by striking the period at the end thereof, inserting a colon in lieu thereof, and adding the following proviso: "Provided further, That in cases involving relatively simple transactions which do not affect the control of a direct air carrier, or result in creating a monopoly, or tend to restrain competition and where no person disclosing a substantial interest requests a hearing, the Board, after notice published in the Federal Register, copy of which shall be forwarded to the Attorney General, may determine that a hearing is not required in the public interest and may be ordered approved or disapprove the transaction which is the subject of the application."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### BILL PASSED OVER

The bill (S. 2929) to amend the National Defense Education Act of 1958 in order to repeal certain provisions requiring affidavits of belief, was announced as next in order.

Mr. BARTLETT. Over, Mr. President.

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). The bill will be passed over.

#### CONVENTION WITH CUBA FOR CONSERVATION OF SHRIMP

The Senate proceeded to consider the bill (S. 2867) to give effect to the convention between the United States of America and Cuba for the conservation of shrimp, signed at Havana, August 15, 1958, which had been reported from the Committee on Interstate and Foreign Commerce, with an amendment, on page 1, line 4, after the word "of", to strike out "1959" and insert "1960", so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Shrimp Conservation Act of 1960."

SEC. 2. As used in this Act, the term—

(a) "Convention" means the convention for the conservation of shrimp between the United States of America and Cuba, signed at Habana, August 15, 1958;

(b) "Commission" means the Commission for the Conservation of Shrimp in the Eastern Gulf of Mexico provided for by article II of the convention;

(c) "United States section" means the United States commissioners on the Commission;

(d) "Convention area" means the waters of the Gulf of Mexico off the coast of Cuba and the Florida coast of the United States, including territorial waters, in which are found stocks of shrimp of common concern;



(e) "Person" means individual, partnership, corporation, or association.

SEC. 3. The United States shall be represented on the Commission by three commissioners to be appointed by the President, to serve as such during his pleasure, and to receive no compensation for their services as commissioners. Of such commissioners—

(a) one shall be an official of the United States Government; and

(b) two shall be residents of a State or States the residents of which maintain a substantial shrimp fishery in the convention area.

SEC. 4. (a) The United States section shall appoint an advisory committee which shall be composed of not less than five nor more than fifteen members, such members to be selected both from the various groups participating in the fisheries covered by the convention and from interested agencies of the States the residents of which maintain a substantial shrimp fishery in the convention area. The United States section shall fix the terms of office of the members of such committee.

(b) The advisory committee shall be invited to attend all nonexecutive meetings of the United States section and at such meetings shall be granted opportunity to examine and be heard on all proposed programs of investigations, reports, and recommendations of the United States section.

(c) The members of the advisory committee shall receive no compensation from the Government of the United States for their services as such members. On approval by the United States section, not more than five members of the committee, designated by the committee, may be paid transportation expenses and per diem incident to attendance at each meeting of the Commission or of the United States section.

SEC. 5. Except as to an official of the United States Government whose membership is provided for by section 3(a) of this Act, service of any individual as a United States Commissioner or as a member of the advisory committee pursuant to this Act shall not constitute service or employment of such individual within the purview of sections 281, 283, 284, and 434 of title 18 of the United States Code, and section 190 of the Revised Statutes (5 U.S.C. 99); however, such individuals shall be subject to the aforesaid provisions for the purpose of prohibiting them from acting as an agent, attorney, officer, or otherwise, contrary to the interests of the United States, and such individuals shall be subject also to the aforesaid provisions so as to preclude them from receiving certain compensation as indicated in the aforesaid provisions.

SEC. 6. The Secretary of State is authorized, with the concurrence of the Secretary of the Interior, to present or withdraw any objections on behalf of the United States Government to such regulations as are adopted by the Commission and submitted to the United States Government in accordance with article III of the convention. The Secretary of State is further authorized to receive on behalf of the United States Government reports, requests, recommendations, and other communications of the Commission, and to act thereon either directly or by reference to the appropriate authority.

SEC. 7. Regulations of the Commission which enter into force in accordance with article III of the convention shall be published in the Federal Register by the Secretary of the Interior. Such regulations, following publication thereof, shall become effective with respect to all persons and vessels subject to the jurisdiction of the United States on the date specified by the Secretary of the Interior.

SEC. 8. Any agency of the United States Government is authorized, upon request of the Commission, to cooperate in the conduct

of scientific and other programs, and to furnish facilities and personnel for the purpose of assisting the Commission in carrying out its duties under the convention. Such agency may accept reimbursement from the Commission which reimbursement shall be credited to appropriations currently available at the time reimbursement is received.

SEC. 9. (a) The Secretary of the Interior, with the concurrence of the Secretary of State, may cooperate with officials of the Government of Cuba for any purposes hereunder.

(b) The Secretary of the Interior may prescribe such regulations as he shall find to be necessary to carry out the purposes and objectives of the convention, the regulations of the Commission, and the purposes of this Act, including but not limited to regulations prohibiting the possession on fishing vessels in the convention area of gear the use of which shall have been prohibited by the regulations of the Commission and regulations requiring the licensing of vessels to be used in shrimp fishing in the convention area.

SEC. 10. (a) The judges of the United States district courts and United States commissioners may, within their respective jurisdictions, upon proper oath or affirmation showing probable cause, issue such warrants or other process as may be required for enforcement of this Act, the regulations issued pursuant thereto, and the regulations of the Commission.

(b) Enforcement of the provisions of this Act, the regulations issued pursuant thereto, and the regulations of the Commission relating to persons and vessels engaged in fishing, shall be the joint responsibility of the United States Coast Guard, the United States Department of the Interior, and the United States Bureau of Customs. In addition, the Secretary of the Interior may designate officers and employees of the States of the United States to carry out enforcement activities hereunder insofar as such activities pertain to persons and vessels subject to the jurisdiction of the United States. When so designated, such officers and employees are authorized to function as Federal law enforcement agents for these purposes.

(c) Any person authorized to carry out enforcement activities hereunder shall have the power to execute any warrant or process issued by any officer or court of competent jurisdiction for the enforcement of this Act. Such person shall have the power with a search warrant to search any vessel, property, or person subject to the jurisdiction of the United States for these purposes.

(d) Such person so authorized shall have the power, without a warrant or other process, to arrest any persons subject to the jurisdiction of the United States committing in his presence or view a violation of this Act, of the regulations issued thereunder, or the regulations of the Commission; without a warrant or other process, to search any vessel subject to the jurisdiction of the United States, and, if as a result of such search he has reasonable cause to believe that such vessel or any person on board is engaging in operations in violation of the provisions of this Act, the regulations issued thereunder, or the regulations of the Commission, then to arrest such person.

(e) Such person so authorized may seize, whenever and wherever lawfully found, all shrimp taken or retained and all fishing gear involved in violations of the provisions of this act, the regulations issued pursuant thereto, or the regulations of the Commission. Any property so seized shall be disposed of pursuant to the order of a court of competent jurisdiction, pursuant to the provisions of subsection (f) of this section or, if perishable, in a manner prescribed by regulations of the Secretary of the Interior.

(f) Notwithstanding the provisions of 28 United States Code 2464, when a warrant of

arrest or other process in rem is issued in any cause under this section, the marshal or other officer shall stay the execution of such process, or discharge any property seized if the process has been levied, on receiving from the claimant of the property a bond or stipulation for double the value of the property with sufficient surety to be approved by a judge of the district court having jurisdiction of the offense, conditioned to deliver the property seized, if condemned, without impairment in value or, in the discretion of the court, to pay its equivalent value in money or otherwise to answer the decree of the court in such cause. Such bond or stipulation shall be returned to the court and judgment thereon against both the principal and sureties may be recovered in event of any breach of the conditions thereof as determined by the court.

SEC. 11. (a) Consistently with the provisions of the convention, any Coast Guard enforcement officer or any enforcement officer of the Department of the Interior authorized to enforce the regulations of the Commission and this Act may go on board any fishing vessel of Cuba on the high seas in the convention area when he has reasonable cause to believe that such vessel is engaging in operations in violation of the regulations of the Commission, and may, without warrant or other process, inspect the equipment, books, documents, and other articles on such vessel and question the individuals on board, and for these purposes may hail and stop such vessel, and use all necessary force to compel compliance.

(b) Whenever any such officer, after searching such vessel, continues to have reasonable cause to believe that such vessel or any individual on board is violating, or immediately prior to the boarding of such vessel was violating, the regulations of the Commission, he may seize or arrest such vessel or individual and shall deliver such vessel or individual as promptly as practicable to an authorized official of Cuba in accordance with the provisions of the convention.

(c) With reference to subsection (b) of this section, any person employed by the Department of the Interior or member of the Coast Guard may be directed to attend as a witness and to produce such available records and files or duly certified copies thereof as may be necessary to the prosecution in Cuba of the violation, when requested by the appropriate authorities of Cuba.

SEC. 12. None of the prohibitions deriving from this Act, or contained in the laws or regulations of any State, shall prevent the Commission from conducting or authorizing the conduct of fishing operations and biological experiments at any time for purposes of scientific investigation, or shall prevent the Commission from discharging any other duties prescribed by the convention.

SEC. 13. Nothing in this Act shall be construed as preventing any State of the United States from making or enforcing laws or regulations relative to any fisheries of the convention area within their respective jurisdictions so far as such laws or regulations do not prevent the discharge of the Commission's responsibilities.

SEC. 14. (a) It shall be unlawful for any person subject to the jurisdiction of the United States to engage in fishing in violation of any regulation of the Commission or any regulation adopted pursuant to this Act, or knowingly to ship, transport, purchase, sell, offer for sale, import, export, or have in custody, possession, or control any shrimp taken or retained in violation of such regulations, or to fail to make, keep, submit, or furnish any record or report required of him by such regulation, or to refuse to permit any officer authorized to enforce such regulations to inspect at any reasonable time such record or report.







86TH CONGRESS  
2D SESSION

# S. 3070

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IN THE HOUSE OF REPRESENTATIVES

MAY 27, 1960

Referred to the Committee on Agriculture

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## AN ACT

To provide for the removal of the restriction on use with respect to certain lands in Morton County, North Dakota, conveyed to the State of North Dakota on July 20, 1955.

1     *Be it enacted by the Senate and House of Representa-*  
2     *tives of the United States of America in Congress assembled,*  
3     That the Secretary of Agriculture is authorized and directed  
4     to convey, without consideration and by quitclaim deed or  
5     other appropriate means, all reversionary interest which the  
6     United States has in and to certain lands in Morton County,  
7     North Dakota, by reason of the provision of the deed of July  
8     20, 1955, whereby the United States, in conveying such  
9     lands to the State of North Dakota, provided that, if such  
10    lands ceased to be used for public purposes, title thereto

1 should immediately revert to and become revested in the  
2 United States. Such lands are more particularly described  
3 as follows:

4       The southwest quarter of section 36 in township 139  
5 north of range 81 west of the fifth Principal meridian, and  
6 lots 3 and 4, also known as the north half of the northwest  
7 quarter of section 1 of township 138 north of range 81 west  
8 of the fifth Principal meridian, containing 240.2 acres, more  
9 or less, and together therewith all accretion land and all and  
10 singular the water rights and other rights, tenements, heredit-  
11 aments and appurtenances thereto belonging or in anywise  
12 appertaining.

Passed the Senate May 26, 1960.

Attest:

FELTON M. JOHNSTON,

*Secretary.*





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## AN ACT

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To provide for the removal of the restriction on use with respect to certain lands in Morton County, North Dakota, conveyed to the State of North Dakota on July 20, 1955.

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MAY 27, 1960

Referred to the Committee on Agriculture





June 6, 1960

12. FARM CREDIT. Passed without amendment S. 2977, to amend the Farm Credit Act of 1933 to provide for increased representation by regional banks for cooperatives on the Board of Directors of the Central Bank for Cooperatives. This bill will now be sent to the President (pp. 11076-6). Earlier a similar House bill H. R. 10310 had been passed on the call of the Consent Calendar (p. 11064). After passing S. 2977, the companion bill, H. R. 10310, was tabled (p. 11076).
13. COTTON. Passed without amendment H. R. 12115, to extend the minimum national marketing quota for extra long staple cotton to the 1961 crop. p. 11071  
Passed as reported H. R. 11646, to amend the Act authorizing the Secretary of Agriculture to collect and publish statistics of the grade and staple length of cotton by defining, and providing penalties for, improper sampling of cotton for classification. p. 11072
14. HIGHWAYS. Passed without amendment H. R. 11522, to permit certain real property of the U. S. to be conveyed to States, municipalities, and other political subdivisions for highway purposes. p. 11065
15. PROPERTY. Passed over at the request of Rep. Aspinall H. R. 9996, to prescribe procedures to insure that foreign excess property which is disposed of overseas will not be imported into the U. S. to the injury of the economy of this country. p. 11067
16. SMALL BUSINESS. Passed under suspension of rules H. R. 11207, to amend the Small Business Act so as to authorize an additional \$150,000,000 for loans to small business. pp. 11074-5
17. DEFENSE PRODUCTION. Passed under suspension of rules H. R. 12052, to extend the Defense Production Act of 1950, as amended, for an additional two years. p. 11076
18. INFORMATION. Passed without amendment Senate Concurrent Resolution 75, favoring the active participation by Federal agencies in the Fifth International Congress on High-Speed Photography to be held in Washington, D. C., in 1960. p. 11071
19. LANDS. The Departmental Oversight and Consumer Relations Subcommittee of the Agriculture Committee voted to report to the full committee the following bills:  
p. D509  
~~S. 2772, to authorize the Secretary of Agriculture to convey a tract of forest land in the town of Cascade, El Paso County, Colo.~~  
H. R. 10700, to provide for the removal of restriction on use with respect to certain former Soil Conservation Service lands in Morton County, N. Dak., conveyed to N. Dak. on July 20, 1955.
20. WILDLIFE. A subcommittee of the Judiciary Committee voted to report to the full committee H. R. 10589, to restrict the importation or shipment of injurious mammals, birds, amphibians, fish and reptiles, and the transportation or receipt of wild animals or birds taken in violation of State, National or foreign laws. p. D511

ITEMS IN APPENDIX

21. ELECTRIFICATION. Extension of remarks of Sen. Jackson inserting an "outstanding statement on the public responsibility of the electric power industry, privately and publicly owned." pp. A4759-61

22. FARM LABOR. Extension of remarks of Sen. Williams, N. J., favoring legislation "intended to end hardship and injustice facing the migrant worker in the United States today," and inserting excerpts from a report offering recommendations for future action. pp. A4777-9
23. PERSONNEL. Rep. Rees inserted an address by Roger W. Jones, U. S. Civil Service Commission, "What Is the Leadership Role of the Personnel Officer?" pp. A4792-4

BILLS INTRODUCED

24. PERSONNEL. S. 3629, by Sen. Kefauver, to amend the Civil Service Retirement Act to include as creditable service certain service performed in Federal-State cooperative programs financed in whole or in part by Federal funds; to Post Office and Civil Service Committee.  
H. R. 12522, by Rep. Rhodes, Ariz., to provide annuities payable from the civil service retirement and disability fund in additional cases for certain widows and widowers by reducing the required period of marriage from 5 years to 2 years; to Post Office and Civil Service Committee.
25. PUBLIC DEBT. H. R. 12515, by Rep. Collier, to provide that until the national debt is retired, not less than 10 percent of the net budget receipts of the United States for each fiscal year shall be utilized solely for reduction of the national debt; to Government Operations Committee.
26. HEALTH. H. R. 12520, by Rep. McMillan, to amend the act of August 11, 1935, so as to authorize Group Hospitalization, Inc., to enter into contracts with certain dental hospitals for the care and treatment of individuals; to District of Columbia Committee.
27. TRANSPORTATION. H. R. 12521, by Rep. Multer, to protect the position of the Government under Government-insured ship mortgages and to prevent unfair competition in the carriage of cargo-preference shipments by certain vessels having Government-insured ship mortgages; to Merchant Marine and Fisheries Committee.
28. WATER RESOURCES. S. 3625, by Sen. Hartke, to establish a Wabash Basin Inter-agency Water Resources Commission; to Public Works Committee. Remarks of author. p. 10999
29. WHEAT ALLOTMENT. S. 3626, by Sen. Schoeppel, to amend subsection (b) of section 334 of the Agricultural Adjustment Act of 1938, as amended; to Agriculture and Forestry Committee.
30. FISHERIES. S. 3631, by Sen. Magnuson (by request), to facilitate administration of the fishery loan fund established by section 4 of the Fish and Wildlife Act of 1956; to Interstate and Foreign Commerce Committee. Remarks of author. p. 10999
31. PUBLIC WORKS. S. J. Res. 202, by Sen. Dirksen, providing for the designation of the week commencing October 2, 1960, as National Public Works Week; to Judiciary Committee.

BILL APPROVED BY THE PRESIDENT

32. WATER COMPACT. S. 1605, granting the consent of Congress to the States of Kansas and Nebraska to negotiate and enter into a compact relating to the







11. TRANSPORTATION. Both Houses agreed to the conference report on H. R. 11135, to aid in the development of a coordinated system of transportation for the National Capital region; to create a temporary National Capital Transportation Agency; etc. This bill will now be sent to the President. pp. 14300-1, 14337
12. FLOOD CONTROL. Both Houses agreed to the conference report on H. R. 7634, the omnibus flood control and rivers and harbors bill, and acted on amendments in disagreement. This bill will now be sent to the President. pp. 14405-9, 14312-20
13. COLOR ADDITIVES. Sen. Javits inserted the conclusions and recommendations of a study issued by the White House on the use of color additives in food, and his motion was tabled to reconsider the vote by which S.2197, to regulate the use of color additives in food, was passed. pp. 14301-2
14. RECLAMATION. Passed as reported S. 2195, to authorize the Secretary of the Interior to construct the western division of the Dalles Federal reclamation project, Ore. pp. 14419-20
15. SMALL BUSINESS. Passed with amendments H. R. 11207, to authorize additional funds for small-business loans and to encourage additional use of small business by Government contracting agencies. pp. 14424-7
16. PUBLIC HEALTH. Passed as reported H. R. 6871, to amend the Public Health Service Act so as to authorize project grants for graduate training in public health. pp. 14376-7
17. CONTRACTS; PURCHASING. Sen. Douglas criticized purchasing policies of Government agencies, particularly the purchase of supplies by agencies when surplus supplies were already available in the Government, and inserted several items on this matter. pp. 14231-6

#### HOUSE

18. FOREST ROADS. Received the conference report on H. R. 10495, authorizing appropriations for highway construction for fiscal 1962 and 1963, including forest highways and forest development roads and trails (pp. 14338-9). As reported by the conferees the bill authorizes \$33,000,000 for forest highways for each of the fiscal years 1962 and 1963, and \$35,000,000 and \$40,000,000 for the fiscal years 1962 and 1963, respectively, for forest development roads and trails, and authorizes an additional \$500,000 for construction of road on forest land in Ga. (H. Rept. 2080)
19. CROP INSURANCE; LANDS; CONSERVATION. The Agriculture Committee voted to report (but did not actually report) the following bills: p. D650
  - H. R. 5743, to amend the Federal Crop Insurance Act to permit inclusion of administrative costs in insurance premiums;
  - H. R. 10784 (amended), to provide that the payment for the lands covered by the Act of September 9, 1959 (Keosauqua lands), may be made on a deferred basis;
  - H. R. 11917 (amended), to authorize the Secretary of Agriculture to convey certain lands in Lassen County, California, to the city of Susanville, California;
  - H. R. 12849 (amended), to protect farm and ranch operators making certain land use changes under the Great Plains conservation program and the soil bank program against loss of cropland acreage and acreage allotments;

The Agriculture Committee voted to <sup>4</sup>report (but did not actually report ) the following bills: p.D 650

~~H. R. 12860 (amended), authorizing the Secretary of Agriculture to convey certain lands to Auburn University, Auburn, Ala.;~~

~~S. 2772, to authorize the Secretary of Agriculture to convey land in the town of Cascade, El Paso County, Colorado;~~

~~S. 3665, to authorize the Secretary of Agriculture to grant an easement over certain lands to the trustees of the Cincinnati Southern Railway, their successors and assigns;~~

S. 3070, to provide for the removal of restriction on use with respect to certain lands in Morton County, North Dakota, conveyed to the State of North Dakota on July 20, 1955;

S. 2919, to provide that the Secretary of the Smithsonian Institution shall study and investigate the desirability and feasibility of establishing and maintaining a national tropical botanic garden;

S. 1857, to establish minimum standards for the exportation of grapes and plums.

20. WATERSHEDS. The Public Works Committee approved watershed projects for Big Prairie and French Creeks, Ala.; Mill Run, Penn.; and Town Fork Creek, N. C. p. 14308

The "Daily Digest" states that the Agriculture Committee approved a watershed project in Texas and one in Indiana. p. D650

21. PROPERTY IMPORTS. By a vote of 124 to 61, agreed to a motion by Rep. Flynt to strike out the enacting clause on H. R. 9996, to amend the Federal Property and Administrative Services Act of 1949 so as to prescribe procedures to insure that foreign excess property which is disposed of overseas will not be imported into the U. S. to the injury of the economy of this country. This action has the effect of killing the bill. pp. 14323-37

22. FLOOD CONTROL. The Public Works Committee reported with amendment H. R. 2185, to authorize modification of local participation in flood control projects in depressed areas (H. Rept. 2067). p. 14374

23. RECREATION. Passed as reported H. R. 900, to provide that 75% of all moneys derived by the U. S. from certain recreation activities in connection with lands acquired for flood control and other purposes shall be paid to the State. p. 14349

24. GOVERNMENT ORGANIZATION. Rep. Lindsay inserted a speech by Gov. Rockefeller which includes the Governor's recommendations as to reorganization in the executive branch. pp. 14359-62

25. DEPRESSED AREAS; INDUSTRIAL LOANS. Rep. Flood urged consideration of a bill to "allow banks and lending institutions to rediscount their industrial mortgages with the Federal Government following generally the same pattern as Fannie Mae mortgages" and the establishment of an Area Redevelopment Administration which he says would be of assistance to a self-help program for depressed area re-development. pp. 14367-72

26. COCONUT MEAT. Both Houses received and the Senate adopted the conference report on H. R. 11748, to continue until the close of June 30, 1961, the suspension of duties on metal scrap, which as amended by the Senate creates a specific tariff classification for certain imported coconut meat (H. Rept. 2074). pp. 14340, 14376









Aug. 18, 1960

11. PUBLIC LANDS. The Interior and Insular Affairs Committee reported with amendment H. R. 10102, to clarify the right of States to select certain public lands subject to any outstanding mineral lease or permit (H. Rept. 2110). p. 15552
- The Agriculture Committee reported without amendment S. 3070, to provide for the removal of a restriction on use of certain Bankhead-Jones Act lands conveyed to N. Dak. in 1955 (H. Rept. 2108). p. 15552
12. EXHIBITS. The Foreign Affairs Committee reported without amendment H. J. Res. 770, to provide for the determination of U. S. participation in the New York World's Fair to be held in 1964-5 (H. Rept. 2111). p. 15552
13. CONGRESSIONAL COMMITTEES. Received a report on the names, positions, and salaries of Congressional committee employees. pp. 15546-52
14. RECLAMATION. Received from the Interior Department a report that an adequate soil survey and land classification has been completed in the Fort Smith project, Colo.; to Appropriations Committee. p. 15552

#### ITEMS IN APPENDIX

15. FOREIGN TRADE. Extension of remarks of Sen. Case, N. J., discussing the problem of the U. S. being undersold in foreign markets and inserting an article calling for realistic attitudes and greater cooperation both here and abroad. pp. A6117-8
16. WILDERNESS AREAS; CONSERVATION. Extension of remarks of Sen. Symington urging enactment of S. 3809, the wilderness areas preservation bill, and inserting an article by Leonard Hall to back his position. pp. A6118-9
17. SOIL SCIENCE. Extension of remarks of Sen. Wiley calling attention to the world food shortage and inserting two articles on the International Soil Science Congress taking place in Milwaukee, Wisc., in which is discussed the relationship of soil science to the world's food problem. pp. A6123-4
18. ELECTRIFICATION; REA. Extension of remarks of Sen. Wiley commending the work of the REA and inserting a "brief synopsis" of the highlights of a book sent to him by the National Rural Electric Cooperative Association on progress in rural electrification under REA. pp. A6126-7

#### BILLS INTRODUCED

19. MUTUAL SECURITY. S. 3864, by Sen. Murray (for himself and others), to amend the Mutual Security Act of 1954 to specifically authorize the guarantee of mortgage loans by the Development Loan Fund to assist in the provision of urgently needed housing in the Republic of Panama; to Foreign Relations Committee.
20. FORESTRY. H. R. 13032, by Rep. Aspinall, to authorize the Secretary of the Interior to exchange certain property in Rocky Mountain National Park, Colo.; to Interior and Insular Affairs Committee.
21. ORGANIZATION. H. R. 13036, by Rep. Halpern, to establish a Department of Consumers in order to secure within the Federal Government effective representation of the economic interests of consumers; to coordinate the administration of consumer services by transferring to such Department certain functions of the Department of Health, Education, and Welfare, the Department of Labor, and other agencies; to Government Operations Committee.

22. SMALL BUSINESS. H. R. 13039, by Rep. Schwengel, to amend the Small Business Act to improve and promote the development of a sound U. S. economy through the establishment of a program of advisory services to small business and other concerns; to Banking and Currency Committee.

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COMMITTEE HEARINGS ANNOUNCEMENTS:

Aug. 19: Cotton exports under Public Law 480, H. Government Operations.  
Mutual Security appropriations, S. Appropriations (exec).

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REMOVAL OF RESTRICTION ON USE OF CERTAIN LANDS  
IN MORTON COUNTY, N. DAK.

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AUGUST 18, 1960.—Committed to the Committee of the Whole House on the State  
of the Union and ordered to be printed

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Mr. COOLEY, from the Committee on Agriculture, submitted the  
following

REPORT

[To accompany S. 3070]

The Committee on Agriculture, to whom was referred the bill (S. 3070) to provide for the removal of the restriction on use with respect to certain lands in Morton County, N. Dak., conveyed to the State of North Dakota on July 20, 1955, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

STATEMENT

The purpose of this bill is to direct the Secretary of Agriculture to convey to the State of North Dakota without consideration all reversionary interest which the United States has in approximately 240 acres of land in Morton County, N. Dak.

The Senate report, which is appended hereto and made a part of this report, explains in detail the need for the legislation and sets forth the views of the Department of Agriculture which has no objection to the enactment of the bill.

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[S. Rept. 1337, 86th Cong., 2d sess.]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 3070) to provide for the removal of the restriction on use with respect to certain lands in Morton County, N. Dak., conveyed to the State of North Dakota on July 20, 1955, having considered the same, report thereon with a recommendation that it do pass without amendment.

This bill directs the Secretary of Agriculture to convey to the State of North Dakota without consideration all reversionary interest



which the United States has in approximately 240 acres of described lands in Morton County, N. Dak. The United States conveyed these lands to the State of North Dakota in 1955, subject to the condition that if the lands ceased to be used for public purposes, title thereto would revert to the United States. The full appraised value of the land was paid by the State.

The Lower Heart River Water Conservation and Flood Control District of Morton County, N. Dak., is the present owner of the land and wishes to exchange some of it for rights-of-way needed for their project and to otherwise dispose of another part of the land. Disposal to private owners would result in land not being used for public purposes, and the reversionary provision in the deed prevents such disposal by the district.

The United States reserved three-fourths of the mineral interests in this property and this interest would not be affected by the bill. The amount received by the United States for this land from the State in 1955 was \$20,240. This represented \$20,000 as the full appraised agricultural value of the land and \$240 as the full appraised value of the one-quarter mineral interest conveyed. No deduction was made from this appraised value because of the reservation for public purposes, and consequently no additional consideration would now be required.

The favorable report from the Department of Agriculture explaining the bill further is attached.

DEPARTMENT OF AGRICULTURE,  
*Washington, D.C., April 7, 1960.*

HON. ALLEN J. ELLENDER,  
*Chairman, Committee on Agriculture and Forestry,  
U.S. Senate.*

DEAR SENATOR ELLENDER: This is in reply to your letter of February 22, 1960, requesting a report by this Department on S. 3070, "a bill to provide for the removal of the restriction on use with respect to certain lands in Morton County, N. Dak., conveyed to the State of North Dakota on July 20, 1955."

The Department would have no objection to enactment of the bill.

The bill would authorize and direct the Secretary of Agriculture to convey to the State of North Dakota without consideration all reversionary interest which the United States has in approximately 240 acres of described lands in Morton County, N. Dak., by reason of the provision of a deed dated July 20, 1955, by which the United States conveyed these lands to the State of North Dakota subject to the condition that if the lands ceased to be used for public purposes, title thereto would revert to the United States.

The lands covered by this bill were purchased by the Federal Government in 1939 under the act of April 27, 1935 (16 U.S.C. 590a-f) for use as a nursery site by the Soil Conservation Service. In 1953 it was decided to cease Soil Conservation Service nursery operations at this site. Executive Order No. 10516, dated January 26, 1954, authorized the transfer of these lands to the Secretary of Agriculture for use, administration, and disposition under title III and the related provisions of title IV of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010 et seq.). That act required that lands disposed of be

used for public purposes subject to the condition that title would revert to the United States if they ceased to be so used. The lands were deeded to the State of North Dakota on July 20, 1955, under authority of the Bankhead-Jones Farm Tenant Act with the reverter clause included in the deed. The full appraised value of the land was paid by the State.

The Lower Heart River Water Conservation and Flood Control District of Morton County, N. Dak., is the present owner of the land, having acquired it from the State, paying full appraised value of the land. The district wishes to exchange some of this land for rights-of-way needed for their project and to otherwise dispose of another part of the land. Any such disposal to private owners would result in land not needed by the district being placed on the tax rolls. The reversionary provision, however, prevents the district from carrying out its desired actions. S. 3070 would permit removal of the provision so that the desires of the district may be accomplished.

Since the Department, acting for the United States, received payment for the full appraised value of these lands at the time of their sale to the State and has no interest in the future use of these lands in connection with its programs, it would have no objection to the release of the reversionary provision contained in the deed. This Department, therefore, would have no objection to the enactment of the bill. S. 3070.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE,  
*Acting Secretary.*

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Union Calendar No. 944

86TH CONGRESS  
2D SESSION

**S. 3070**

[Report No. 2108]

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IN THE HOUSE OF REPRESENTATIVES

MAY 27, 1960

Referred to the Committee on Agriculture

AUGUST 18, 1960

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

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## **AN ACT**

To provide for the removal of the restriction on use with respect to certain lands in Morton County, North Dakota, conveyed to the State of North Dakota on July 20, 1955.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the Secretary of Agriculture is authorized and directed  
4       to convey, without consideration and by quitclaim deed or  
5       other appropriate means, all reversionary interest which the  
6       United States has in and to certain lands in Morton County,  
7       North Dakota, by reason of the provision of the deed of July  
8       20, 1955, whereby the United States, in conveying such  
9       lands to the State of North Dakota, provided that, if such  
10      lands ceased to be used for public purposes, title thereto



1 should immediately revert to and become revested in the  
2 United States. Such lands are more particularly described  
3 as follows:

4 The southwest quarter of section 36 in township 139  
5 north of range 81 west of the fifth Principal meridian, and  
6 lots 3 and 4, also known as the north half of the northwest  
7 quarter of section 1 of township 138 north of range 81 west  
8 of the fifth Principal meridian, containing 240.2 acres, more  
9 or less, and together therewith all accretion land and all and  
10 singular the water rights and other rights, tenements, heredit-  
11 aments and appurtenances thereto belonging or in anywise  
12 appertaining.

Passed the Senate May 26, 1960.

Attest:

FELTON M. JOHNSTON,

*Secretary.*



86<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 3070**

[Report No. 2108]

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# AN ACT

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To provide for the removal of the restriction on use with respect to certain lands in Morton County, North Dakota, conveyed to the State of North Dakota on July 20, 1955.

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MAY 27, 1960

Referred to the Committee on Agriculture

AUGUST 18, 1960

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed





Aug 23, 1960

9. PERSONNEL; FOREIGN AFFAIRS. <sup>House and Senate</sup> Conferees were appointed on S. 2633, to amend the Foreign Service Act of 1946 relating to Foreign Service staff officers and the Foreign Service retirement system. pp. 15957-63, 16094
10. HOUSING. Both Houses received from the President the annual report of the Housing and Home Finance Agency on housing activities. pp. 15923, 16040
11. TARIFFS; SMALL BUSINESS. Sen. Sparkman inserted a tabulation of escape clause applications before the Tariff Commission as of July 1, 1960. p. 16016  
Sen. Randolph inserted a report from the Select Committee on Small Business "Impact of Imports on Small Business," including six recommendations "for softening the impact of imports on American industry." p. 16032
12. RESEARCH. Sen. Clark inserted a magazine article, "CBR Versus Man," discussing the possible serious effects of chemical, biological, and radiological warfare on man. pp. 16027-30

HOUSE

13. STATE-JUSTICE APPROPRIATION BILL, 1961. Received the conference report on this bill, H. R. 11666 (H. Report 2136). pp. 16038-9, 16166
14. LABOR STANDARDS. Rep. Johansen objected to a unanimous consent request to agree to the conference requested by the Senate on H. R. 12677, to amend the Fair Labor Standards Act to increase the minimum wage and to increase the coverage under the Act. p. 16039
15. FISH AND WILDLIFE. Passed without amendment S. 1781, to facilitate cooperation between the Federal Government, colleges and universities, the States, and private organizations for cooperative unit programs of research and education relating to fish and wildlife. This bill will now be sent to the President. p. 16040  
Passed without amendment H. J. Res. 713, to authorize the use of surplus grain by the States for emergency use in feeding of resident game birds and other wildlife. pp. 16044-5
16. RECREATION. Passed without amendment H. R. 12539, to authorize the Army, with the consent of Congress, to acquire lands and to establish facilities necessary for recreation purposes in connection with reservoir projects constructed with Federal funds. pp. 16040-1
17. PERSONNEL. Passed without amendment H. R. 12336, to amend the Classification Act of 1949 with respect to the preservation of basic compensation in downgrading actions. p. 16045
18. TRANSPORTATION. Passed as reported S. 1806, to revise title 18, chapter 39, of the United States Code, dealing with the transportation of "Explosive and Combustibles." pp. 16042-4
19. RECLAMATION. Passed without amendment S. 68, to provide for continued delivery of water under Federal reclamation laws to lands held by husband and wife upon the death of either. This bill will now be sent to the President. p. 16052  
Received from Interior a report that "an adequate soil survey and land classification of the lands in the LaFeria division, lower Rio Grande rehabilitation project, Tex., has been completed" to formulate "a definite plan for project rehabilitation." p. 16166



House  
20. LANDS. Passed as reported H. R. 11957, to facilitate the selection by Alaska, pursuant to the act of July 7, 1958, of certain public lands under outstanding mineral lease or permit. p. 16047

Passed with amendment (in lieu of H.R. 10418) S. 2806, to revise the boundaries of the Coronado National Memorial, Ariz., and to authorize the repair and maintenance of an access road thereto. pp. 16047-9

The Agriculture Committee voted to report (but did not actually report) H. R. 12491, to convey certain lands of Fremont County, Wyo.; and S. 3759, authorizing the Secretary of Agriculture to convey certain lands to Auburn University, Auburn, Ala. pp. D703, D705

Passed as reported H. R. 11200, to authorize the Secretary of the Interior to sell reserved mineral interests of the U. S. in lands located in Fla. to the record owners of the surface thereof. pp. 16049-50

Passed as reported H. R. 9732, to authorize the Secretary of Agriculture to convey certain property to Trinity County, Calif. pp. 16050-2

House Passed without amendment S. 3070, to provide for the removal of restriction on use with respect to certain lands in Morton County, N. Dak., conveyed to N. Dak. in 1955. This bill will now be sent to the President. p. 16055

Passed without amendment S. 2772, to authorize the Secretary of Agriculture to convey land in the town of Cascade, Colo. This bill will now be sent to the President. pp. 16055-6

The Public Lands Subcommittee of the Interior and Insular Affairs Committee voted to report the following bills: S. 2757 (amended), to permit any State to acquire certain public lands for recreational use; and S. 3267, to amend the act of Oct. 17, 1940, relating to the disposition of certain public lands in Alaska. p. D706

21. CLAIMS. Passed without amendment H. R. 9523, to simplify the payment of certain miscellaneous judgments and the payment of certain compromise settlements. pp. 16053-4

Received from the President a supplemental appropriation estimate to pay various claims and judgments rendered against the U. S. (H.Doc. 452). p. 16166

22. GRAPES AND PLUMS. Passed without amendment S. 1857, to establish minimum standards on grapes and plums in foreign commerce. This bill will now be sent to the President. pp. 16054-5

23. ACREAGE ALLOTMENTS. Passed as reported H. R. 12849, to protect farm and ranch operators making certain land use changes under the Great Plains conservation program and the soil bank program against loss of cropland acreage and acreage allotments. p. 16055

24. HALL OF FAME. Agreed to Senate amendments to H. R. 5789, to incorporate the Agricultural Hall of Fame. This bill will now be sent to the President. p. 16151

25. MINERALS. Received the conference report on H. R. 10455, to amend the Mineral Leasing Act of Feb. 25, 1920 (H. Rept. 2135). pp. 16151-5

26. PASSED OVER the following bills:

H. R. 8074, to permit the assignment of agricultural attaches to duty in the U.S. for a maximum of four years without reduction in grade; (p. 16040)

H. R. 12419, to provide for advance consultation with the Fish and Wildlife Service and with State wildlife agencies before the beginning of any Federal program involving the use of pesticides or other chemicals designed for mass biological controls; (p. 16040)

H. R. 6743, to provide for certain survivors' annuities in additional cases under the Civil Service Retirement Act of May 29, 1930. p. 16042



arrangements satisfactory to the Secretary, or his designated representative, for carrying out the purposes of this Act cannot be made the fees collected hereunder in such cases shall be available until expended to defray the cost of the service rendered, and in such cases the limitations on the amounts expended for the purchase and maintenance of motor-propelled passenger-carrying vehicles shall not be applicable: *Provided further*, That certificates issued by the authorized agents of the United States Department of Agriculture shall be received in all courts of the United States as prima facie evidence of the truth of the statements therein contained.

SEC. 6. After opportunity for hearing the Secretary is authorized to refuse the issuance of certificates under this Act for periods not exceeding ninety days to any person who ships or offers for shipment any grapes or plums in foreign commerce in violation of any of the provisions of this Act. Any person or any common carrier or any transportation agency violating any of the provisions of this Act shall be fined not less than \$100 nor more than \$10,000 by a court of competent jurisdiction.

SEC. 7. The Secretary may make such rules, regulations, and orders, and require such reports, as may be necessary to carry out the provisions of this Act, and may cooperate with any department or agency of the Government, any State, Territory, District, or possession, or department, agency, or political subdivision thereof, or any person, whether operating in one or more jurisdictions; and shall have the power to appoint, remove, and fix the compensation of such officers and employees not in conflict with existing law, and make such expenditures for rent outside the District of Columbia, printing, binding, telegrams, telephones, law books, books of reference, publications, furniture, stationery, office equipment, travel, and other supplies and expenses including reporting services, as shall be necessary to the administration of this Act in the District of Columbia and elsewhere, and as may be appropriated for by Congress. This Act shall not abrogate nor nullify any other statute, whether State or Federal, dealing with the same subjects as this Act; but it is intended that all such statutes shall remain in full force and effect except insofar as they are inconsistent herewith or repugnant hereto.

SEC. 8. If any provision of the Act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

SEC. 9. That when used in this Act—

(1) The term "person" includes individuals, partnerships, corporations and associations.

(2) The term "Secretary" means the Secretary of Agriculture.

(3) Except as provided herein, the term "foreign commerce" means commerce between any State, or the District of Columbia, and any place outside of the United States or its possessions.

(4) The term "grapes" means vinifera species table grapes, European type, whether or not they have been in storage.

(5) The term "plums" means both European and Japanese type, whether or not they have been in storage, but does not mean Italian-type prunes, nor damson-type plums.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## USE OF CERTAIN LANDS IN MORTON COUNTY, N. DAK.

The Clerk called the bill (S. 3070) to provide for the removal of the restriction on use with respect to certain lands in Morton County, N. Dak., conveyed to the State of North Dakota on July 20, 1955.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of Agriculture is authorized and directed to convey, without consideration and by quitclaim deed or other appropriate means, all reversionary interest which the United States has in and to certain lands in Morton County, North Dakota, by reason of the provision of the deed of July 20, 1955, whereby the United States, in conveying such lands to the State of North Dakota, provided that, if such lands ceased to be used for public purposes, title thereto should immediately revert to and become revested in the United States. Such lands are more particularly described as follows:

The southwest quarter of section 36 in township 139 north of range 81 west of the fifth Principal meridian, and lots 3 and 4, also known as the north half of the northwest quarter of section 1 of township 138 north of range 81 west of the fifth Principal meridian, containing 240.2 acres, more or less, and together therewith all accretion land and all and singular the water rights and other rights, tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## CONSERVATION RESERVE PROGRAMS

The Clerk called the bill (H.R. 12849) to protect farm and ranch operators making certain land use changes under the Great Plains conservation program and the soil bank program against loss of cropland acreage and acreage allotments.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 16 of the Soil Conservation and Domestic Allotment Act of 1938, as amended, is amended as follows:

(1) Paragraph (3) of subsection (b) is amended to read as follows:

"(3) insofar as the acreage of cropland on any farm enters into the determination of acreage allotments and marketing quotas under the Agricultural Adjustment Act of 1938, as amended, the cropland acreage on the farm shall not be decreased during the period of any contract heretofore or hereafter entered into under this subsection by reason of any action taken for the purpose of carrying out such contract and, under regulations of the Secretary, shall not be decreased, for such period after the expiration of the contract as is equal to the period of the contract, by reason of the maintenance of any change in land use from cultivated cropland to permanent vegetation carried out under the contract;"

(2) Paragraph (4) of subsection (b) is amended to read as follows:

"(4) the acreage on any farm which is determined under regulations of the Secretary to have been diverted from the production of any commodity subject to acreage allotments or marketing quotas in order to carry out any contract heretofore or hereafter entered into under the program or in order to maintain, for such period after the expiration of the contract as is equal to the period of the contract, any change in land use from cultivated cropland to permanent vegetation carried out under the contract shall be considered acreage devoted to the commodity for the purposes of establishing future State, county, and farm acreage allotments under the Agricultural Adjustment Act of 1938, as amended."

SEC. 2. Section 112 of the Soil Bank Act, as amended, is amended as follows:

(1) Paragraph (1) is amended to read as follows:

"(1) insofar as the acreage of cropland on any farm enters into the determination of acreage allotments and marketing quotas under the Agricultural Adjustment Act of 1938, as amended, the cropland acreage on the farm shall not be decreased during the period of any contract heretofore or hereafter entered into under this subtitle by reason of any action taken for the purpose of carrying out such contract and, under regulations of the Secretary, shall not be decreased, for such period after the expiration of the contract as is equal to the period of the contract, by reason of the maintenance of any change in land use from cultivated cropland to permanent vegetation carried out under the contract;"

(2) Paragraph (2) is amended to read as follows:

"(2) the acreage on any farm which is determined under regulations of the Secretary to have been diverted from the production of any commodity subject to acreage allotments or marketing quotas in order to carry out any contract heretofore or hereafter entered into under this subtitle or in order to maintain, for such period after the expiration of the contract as is equal to the period of the contract, any change in land use from cultivated cropland to permanent vegetation carried out under the contract shall be considered acreage devoted to the commodity for the purposes of establishing future State, county, and farm acreage allotments under the Agricultural Adjustment Act of 1938, as amended."

With the following committee amendment:

Page 2, line 14, strike out "whch" and insert "which".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## LAND CONVEYANCE TO CLEAR TITLE CASCADE, COLO.

The Clerk called the bill (S. 2772) to authorize the Secretary of Agriculture to convey land in the town of Cascade, El Paso County, Colo.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of Agriculture is authorized to convey by quitclaim deed, without consideration, to Mary E. Cusack, her heirs, devisees



or other successors in interest, donor in a certain deed to the United States dated May 5, 1920, filed for record in El Paso County on December 30, 1920, and recorded in book 627, page 439, all the right, title, and interest of the United States in and to the following described land located in the town of Cascade, El Paso County, Colorado: The easterly one hundred feet of lots numbered 7, 8, 9, 10, 11, 12, 13 and 14, block 24, all in addition numbered 1 to the said townsite of Cascade, El Paso County, Colorado, and lying and being within section 26, township 13 south, range 68 west of the Sixth principal meridian: *Provided*, That application for any such conveyance and proof of interest satisfactory to the Secretary of Agriculture shall be made within five years from the date of this Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER pro tempore. This concludes the call of the Consent Calendar.

#### APPROACH ROADS TO FERRY FACILITIES

Mr. RIVERS of Alaska. Mr. Speaker, the language in the bill (H.R. 11240) to amend title 23, United States Code, to provide for participation of Federal-aid highway funds in the construction of approved roads to ferry facilities in the Federal aid system, a bill which was passed on the call of the Consent Calendar earlier this morning, is included in another bill which is already law, so this bill serves no further purpose. Therefore, I ask unanimous consent that the proceedings by which the bill (H.R. 11240) was passed be vacated and that that bill be laid on the table.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alaska?

There was no objection.

#### PRINCESS ANNE COUNTY SCHOOL BOARD, VIRGINIA

Mr. LANE. Mr. Speaker, I ask unanimous consent to return for immediate consideration to Calendar No. 508 the bill (H.R. 11136) for the relief of the Princess Anne County School Board, Virginia.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

Mr. PELLY. Reserving the right to object, Mr. Speaker, it is my understanding this bill was opposed by the Department of the Navy, and on that basis I asked unanimous consent that the bill be passed over without prejudice, which was granted. If there is any information I did not have concerning this measure, I would be constrained to reconsider. Am I correct that the Navy Department opposes this legislation?

Mr. LANE. May I say that there was no opposition in the Committee on the Judiciary to this bill. This was brought to our attention by the school authorities in the Oceana Public School in Oceana, Va., due to the fact that they were having this very serious situation connected with Princess Anne County in Virginia.

The school is operated there at the Naval Air Base. The jet base is at that location. As a result of the noise caused by the jet aircraft, the school committee there and the school authorities and the school superintendent decided that there was nothing else they could do but to close the school down indicating that they felt there was no opposition to it, but the Navy did send a letter in opposition to this legislation. May I say to the gentleman, the naval authorities through their personnel at the airbase have been very, very sympathetic to this situation. They have worked feelingly with the school committee and the school superintendent and the town authorities to try to eliminate this nuisance. They have felt, as the committee have felt, in an individual way that the Government should reimburse Princess Anne County for their damage in order that they may erect a school in that area to take care of the 1,200 children affected by the jet airbase located so close to the school. As I repeat, and I want to repeat it over and over again, there was evidence offered to us not only by those who presented their arguments to the committee but through moving pictures that were shown to the committee and by other evidence in favor of this legislation that those who were closest to the situation, and I mean the Government people and the Navy people, felt as your committee felt, that something should be done about this situation.

May I say to the gentleman in conclusion, that this does not set any new precedents. Your committee has taken the same action in behalf of a school in the State of Indiana and also have taken care of a situation at Portsmouth, N.H. But in this particular bill, your committee could not decide as to the amount of the damage. We had no evidence on that and we felt the matter should be judicially determined and instead of giving them the award outright, the matter should be sent to the Court of Claims to decide how much Princess Anne County is entitled to to take care of this nuisance so that they might go ahead and construct a new school.

Mr. PELLY. Mr. Speaker, I thank the distinguished gentleman from Massachusetts for clarifying the situation. I did read the letter of the Under Secretary of the Navy, Mr. F. A. Bantz, which stated that the Department of the Navy has consistently opposed such legislation on the basis that by such means we usurp the functions of our courts. As I understand, the change in jurisdiction has now satisfied the objection of the Navy. Therefore, Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Massachusetts [Mr. LANE]?

There was no objection.

The Clerk read the bill as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Princess Anne County School Board, Princess

Anne County, Virginia, the sum of \$345,000, upon the conveyance to the United States within the one-year period beginning on the date of enactment of this Act of all right, title, and interest of such Board in and to such school property. The payment of such sum shall be in full settlement of all claims of the said Board against the United States on account of the loss of use of the school property known as Oceana Public School, and the cost of relocating such school, because of the noise and danger from jet-powered aircraft using the nearby Oceana Naval Air Station: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 6, strike "the sum of \$345,000" and insert "the amount fixed by the Court of Claims in accordance with section 2 of this Act."

Page 1, line 8, strike "of enactment of this Act" and insert "that Court certifies its determination of value as directed in section 2 of this Act."

Page 2, line 5, strike "appropriated" and insert "paid as provided".

Page 2, following line 12 add a new section as follows:

"Sec. 2. Jurisdiction is hereby conferred on the Court of Claims to hear evidence concerning the value of the school property known as the Oceana Public School, determine that value, and certify its determination to the Secretary of the Treasury for payment of the amount found due to the Princess Anne County School Board, Princess Anne County, Virginia, in accordance with the authority contained in section 1 of this Act."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### PRIVATE CALENDAR

The SPEAKER pro tempore (Mr. ALBERT). This is the day for the call of the private calendar.

The Clerk will call the first bill on the calendar.

#### WILLIAM L. BERRYMAN

The Clerk called the bill (H.R. 8885) for the relief of William L. Berryman.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$50,000 to William L. Berryman, in full settlement of all claims against the United States. That such sum represents the financial loss incurred by Mr. Berryman, resulting from a physical injury received in Portland, Maine, on November 22, 1949. This claim is not cognizable under the Federal Tort Claims Act of 1946.





Public Law 86-693  
86th Congress, S. 3070  
September 2, 1960

AN ACT

74 STAT. 739.

To provide for the removal of the restriction on use with respect to certain lands in Morton County, North Dakota, conveyed to the State of North Dakota on July 20, 1955.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of Agriculture is authorized and directed to convey, without consideration and by quitclaim deed or other appropriate means, all reversionary interest which the United States has in and to certain lands in Morton County, North Dakota, by reason of the provision of the deed of July 20, 1955, whereby the United States, in conveying such lands to the State of North Dakota, provided that, if such lands ceased to be used for public purposes, title thereto should immediately revert to and become revested in the United States. Such lands are more particularly described as follows:

Morton County,  
N. Dak.  
Land conveyance.

The southwest quarter of section 36 in township 139 north of range 81 west of the fifth Principal meridian, and lots 3 and 4, also known as the north half of the northwest quarter of section 1 of township 138 north of range 81 west of the fifth Principal meridian, containing 240.2 acres, more or less, and together therewith all accretion land and all and singular the water rights and other rights, tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

Approved September 2, 1960.









